

Plaintiff's Notice of Acceptance of Defendants' Offer of Judgment Pursuant to FRCP 68

Exhibit A

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5
6 THE HONORABLE RICARDO S. MARTINEZ

7 UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SEDRICK DEWAYNE ALTHEIMER,

11 Plaintiff,
12 vs.
13 PIERCE COUNTY, WASHINGTON, and
14 PIERCE COUNTY SHERIFF EDWARD C.
TROYER, (a/k/a Ed Troyer), in his individual
and official capacity,
15 Defendants.

NO. 2:21-cv-01437-RSM

OFFER OF JUDGMENT PURSUANT TO
RULE 68

16 Pursuant to Federal Rule of Civil Procedure 68 and *Marek v. Chesny*, 473 U.S. 1 (1985),
17 Defendants Pierce County and Edward C. Troyer hereby offer to permit Plaintiff to take a judgment
18 against them in settlement of all claims against all Defendants to this action, including but not
19 limited to Defendants Pierce County and Edward C. Troyer, in the amount of Five Hundred
20 Thousand and Fifteen Dollars (\$500,015.00) plus reasonable attorney's fees and costs as
21 determined by the Court.

22 This Offer is extended in an effort to settle and fully resolve all legal and equitable relief
23 sought by Plaintiff in this case against Defendants, to include any current or former employees of
24 Pierce County. This Offer is made for the purpose of and pursuant to Federal Rule of Civil

1 Procedure 68 and shall not be construed as a waiver of any defense or objection, as an admission
2 of liability, or as an admission that Plaintiff has suffered any injury or incurred any damages as a
3 result of any action, inaction, or other conduct by Defendants. This Offer is made in an attempt to
4 allow Plaintiff and Defendants to compromise their respective litigation positions, to eliminate the
5 added costs of further discovery and other trial preparation, and to avoid the risks and expenses of
6 trial.

7 DATED this 25th day of October, 2023.

8 By: s/ Gregory E. Jackson
9 Gregory E. Jackson, WSBA #17541
10 Jackson & Nicholson, P.S.
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12 Renton, WA 98057
13 Telephone: (206) 582-6001
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16 *Attorney for Defendant Pierce County, WA*

17 By: s/ L. Clay Selby
18 L. Clay Selby, WSBA #26049
19 Selby, Morgan & Born, PLLC
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22 Telephone: (253) 327-1704
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24 Email: clay@smb-lawyers.com
Attorney for Defendant Edward C. Troyer

CERTIFICATE OF SERVICE

I certify that I served on all parties or their counsel of record a copy of this document addressed as follows:

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Attorney for Defendant Pierce County
Sheriff Edward C. Troyer

DATED this 25th day of October, 2023, at Renton, Washington.

/s/ Jenny Singleton
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